

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
LINDA WILLIAMS,

Plaintiff,

-against-

ABBY SONIN,

Defendant.
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Civil Action No.:
17-CV-3141-PGG

**DECLARATION IN
SUPPORT OF MOTION TO
WITHDRAW AS
DEFENDANT'S COUNSEL**

YALE POLLACK, an attorney duly licensed to practice law before the Courts of the State of New York, affirms the following under the penalties of perjury:

1. I am the principal of Law Offices of Yale Pollack, P.C. ("YPPC"), attorneys of record for defendant Abby Sonin ("Defendant"), and I am a member of the bar of this Court. I have personal knowledge of the facts hereinafter stated and respectfully submit this Declaration in support of the motion of YPPC for leave to withdraw as attorneys of record for Defendant.

2. In this action, plaintiff seeks damages for alleged unpaid wages under the Fair Labor Standard Act and New York Labor Law.

3. Since the initial conference was conducted on March 1, 2018, YPPC has been unable to effectively communicate with Defendant regarding this matter.

4. Over a period of more than four months, YPPC has contacted Defendant on numerous occasions in order to discuss the case, including advancing the defenses asserted in the Answer and responses to Plaintiff's discovery demands.

5. Each time YPPC attempts to reach Defendant, a threat of a motion to withdraw as counsel is the only way in which YPPC has been able to obtain a response to YPPC's communications.

6. YPPC is willing to provide the communications it has had with Defendant to the Court for *in camera* inspection as to the attempts that have been made on this case to remain as Defendant's counsel.

7. YPPC attempted to communicate with Defendant on June 13, 2018 when the Court extended the discovery deadlines based on Plaintiff's request, and then again on June 22, 2018 and June 29, 2018, when it advised that it would be seeking to withdraw as Defendant's counsel. No response has been received since that date.

8. Finally, YPPC's last two bills remain outstanding from Defendant, which YPPC will also provide to the Court for an *in camera* inspection if same are necessary for a determination on this motion.

9. This motion is being made by order to show cause because of the discovery deadlines in this case, with the final discovery date of October 1, 2018, so that Defendant can obtain new counsel before the discovery deadline.

10. Based on the foregoing, YPPC respectfully requests that its motion to withdraw as counsel be granted.

WHEREFORE, your affirmant respectfully requests that this Court enter an order relieving Law Offices of Yale Pollack, P.C. as attorneys of record for defendant Abby Sonin, together with an award of such other and further relief as may be just and proper.

Dated: July 3, 2018
Syosset, New York


YALE POLLACK